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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/789,441	<b>Applicant(s)</b> ASCHEUER ET AL.
	<b>Examiner</b> Curtis A. Alia	<b>Art Unit</b> 2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 January 2008.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 20,21,23-37,39 and 40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 20,21,23-37,39 and 40 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/06)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's amendment dated 14 January 2008 has been entered. Claims 22 and 38 have been cancelled and claims 20, 24, 26-27, 29, 34, 37 and 39-40 have been amended. The replacement title submitted with the amendment has been accepted.

### ***Allowable Subject Matter***

1. The indicated allowability of claims 22, 26, 27, 30 and 38 is withdrawn in view of the newly discovered reference(s) to Morris, Hill and Milley. Rejections based on the newly cited reference(s) follow.

### ***Specification***

2. The disclosure is objected to because of the following informalities: The specification is missing section headings as required in the appropriate sections of the MPEP (as shown below).

Appropriate correction is required.

### ***Content of Specification***

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.

- (d) The Names Of The Parties To A Joint Research Agreement: See 37 CFR 1.71(g).
- (e) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.
- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
  - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
  - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known

in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

- (j) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (k) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (l) Sequence Listing: See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 30 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The term "zero crossings" as claimed in claim 30 is mentioned in lines 30-38, but is not explained to the extent necessary to inform a person having ordinary skill in the art at the time of the invention of a reasonable definition of the term or from exactly what action or process the gathered statistic is computed. The following is all that is mentioned in the specification regarding the term "zero crossings:"

During initialization of a communication link, the initialization methods have a discontinuous response from the maximum value to zero during the transition of the CLK system clock (CLK master clock). These discontinuities can be corrected in a known manner by suitable choice of the respective phase angle for this communication link. According to the invention, the number of zero crossings which have occurred since a communication channel was set up are counted for synchronization. The phase angle for a further communication channel can now be determined from the number of zero crossings, with this further communication channel being synchronized to the first-mentioned communication channel in a desirable manner.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Morris (newly cited US 7,042,863).

Regarding claim 34, Morris discloses a data transmission system which is based on the Bluetooth standard (see column 1, lines 43-46), comprising a master subscriber (see figure 2, M), first and second slave subscribers operable to communicate data packets with the master subscriber (see figure 2, S1 and S2) by radio using a time slot method (see column 1, lines 43-51), a first communication channel providing data interchange between the master subscriber and the first slave subscriber (see column 1, lines 51-54, each slave device is given a chance to transmit, also read as given a channel), a second communication channel providing data interchange between the master subscriber and the second slave subscriber (see column 1, lines 51-54, each slave device is given a chance to transmit, also read as given a channel), the second communication channel performing data exchange during a specified time slot, the specified time slot determined based upon a time slot in which data exchange occurs in the first communication channel (see column 1, lines 51-54, each slave unit is given the opportunity to use a time slot, read as a slave gets a time slot depending on how many time slots are taken by other slaves in the piconet, thus getting a time slot is based in part on another slave's time slot usage) and a control device operable to control a setting up of the first and second communication channels as well as a timing of the data interchange between the master subscriber and each of the first and second slave subscribers (see column 1, lines 41-55, time

division duplex scheme where the master establishes communications with up to 7 slaves, each having their own time slot to exchange data with the master).

Regarding claim 35, Morris discloses that the data transmission system comprises a comprising a maximum of five additional slave subscribers, and wherein the master subscriber, the first slave subscriber, the second slave subscriber and the additional slave subscribers are simultaneously actively involved in the data interchange (see column 1, lines 51-54, Bluetooth standard supports 7 slave active slave units).

Regarding claim 36, Morris discloses the master subscriber and at least one slave subscriber can be operated in an operating mode in which data is interchanged periodically in first time slots and no data is interchanged in adjacent second time slots (see figure 1, S<sub>1</sub> transmits in T<sub>1</sub> and then no data is transmitted during T<sub>2</sub> (only a polling broadcast by the master)).

***Claim Rejections - 35 USC § 103***

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 20, 23, 25-26, 31, 37 and 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris in view of Hill et al. (newly cited US 2004/0147267).

Regarding claim 20, Morris discloses a method for data transmission, in particular on the basis of the Bluetooth standard (see column 1, lines 43-46), in which data packets can be

interchanged by radio by using time slots (see column 1, lines 46-47), the method comprising: establishing a first communication channel between a master subscriber and a first slave subscriber (see column 1, lines 51-54, each slave device is given a chance to transmit, also read as given a channel), operating the first communication channel to perform data exchange during a first time slot followed by a first subsequent time slot in which no data exchange occurs (see figure 1, S<sub>1</sub> transmits in T<sub>1</sub> and then no data is transmitted during T<sub>2</sub> (only a polling broadcast by the master)), establishing a second communication channel between the master subscriber and a second slave subscriber (see column 1, lines 51-54, each slave device is given a chance to transmit, also read as given a channel) and operating the second communication channel to perform data exchange during a second time slot followed by a second subsequent time slot in which no data exchange occurs (see figure 1, S<sub>2</sub> transmits in T<sub>3</sub> and then no data is transmitted during T<sub>4</sub> (only a polling broadcast by the master)) and wherein synchronizing the second communication channel includes causing data exchange during a specified time slot, the specified time slot determined based upon a time slot in which data exchange occurs in the first communication channel (see column 1, lines 51-54, each slave unit is given the opportunity to use a time slot, read as a slave gets a time slot depending on how many time slots are taken by other slaves in the piconet, thus getting a time slot is based in part on another slave's time slot usage)).

Morris does not explicitly teach operating the second communication channel including synchronizing the second communication channel to the first communication channel.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Hill. In particular, Hill teaches operating the second communication channel including

synchronizing the second communication channel to the first communication channel (see paragraph 27, lines 3-5, a slave unit on one channel that is participating on two piconets must adjust its clock offset and phase offset to the other channel's clock and phase).

In view of the above, having the method of Morris, then given the well-established teachings of Hill, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris as taught by Hill, since Hill stated in paragraph 28, lines 15+ that when a mobile device connected to Bluetooth starts to roam, a handoff can occur to maintain link quality.

Regarding claim 23, Morris discloses that at least one of the group consisting of the first communication channel and the second communication channel includes an SCO data link, with a time interval of  $T_{SCO} = 4$  timeslots or  $T_{SCO} = 6$  time slots (see figures 6 and 7, a slave, such as  $S_1$  can take up more than one timeslot).

Regarding claim 25, Morris does not explicitly teach determining a synchronization parameter for synchronization of the second communication channel, the synchronization parameter defining a phase offset for data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Hill. In particular, Hill teaches determining a synchronization parameter for synchronization of the second communication channel, the synchronization parameter defining a phase offset for

data interchange between the master subscriber and each of the first and second slave subscribers via, respectively, the first communication channel and the second communication channel (see paragraph 27, lines 3-5, the synchronization is performed to select the correct phase by determining the proper clock offset from the master device on the channels).

In view of the above, having the method of Morris, then given the well-established teachings of Hill, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris as taught by Hill, since Hill stated in paragraph 28, lines 15+ that when a mobile device connected to Bluetooth starts to roam, a handoff can occur to maintain link quality.

Regarding claim 26, Morris does not explicitly teach that the first time slot and the second time slot at least partially overlap.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Hill. In particular, Hill teaches that the first time slot and the second time slot at least partially overlap (see paragraph 27, when a slave is in more than one piconet, it must synchronize with the channel corresponding to the piconet desired, it will fall out of sync with the other piconet it is connected to, thus inevitably overlapping its channel time slots with the channel time slots of the first slave).

In view of the above, having the method of Morris, then given the well-established teachings of Hill, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris as taught by Hill, since Hill stated in

paragraph 28, lines 15+ that when a mobile device connected to Bluetooth starts to roam, a handoff can occur to maintain link quality.

Regarding claim 31, Morris discloses that slot-based data interchange takes place between the master subscriber and the first and second slave subscribers (see figures 5-7, every device, whether slave or master, only transmits during a time slot, making the system slot-based).

Regarding claim 37, Morris does not explicitly teach that the data transmission system includes a cordless digital communication system.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Hill. In particular, Hill teaches that some Bluetooth devices are mobile units, such as a mobile phone and a PDA, which are cordless digital communication devices (see paragraph 28, lines 1-5).

In view of the above, having the method of Morris, then given the well-established teachings of Hill, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris as taught by Hill, since Hill stated in paragraph 28, lines 15+ that when a mobile device connected to Bluetooth starts to roam, a handoff can occur to maintain link quality.

Regarding claim 39, Morris does not explicitly teach that the control device comprises a link manager.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Hill. Hill teaches that the Bluetooth protocol includes a Link Manager Protocol which is responsible for setting up links between the Bluetooth devices (see paragraph 15).

In view of the above, having the method of Morris, then given the well-established teachings of Hill, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris as taught by Hill, since Hill stated in paragraph 28, lines 15+ that when a mobile device connected to Bluetooth starts to roam, a handoff can occur to maintain link quality.

Regarding claim 40, Morris does not explicitly teach that the control device includes a programmable unit.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Hill. In particular, Hill teaches that some Bluetooth devices are mobile units, such as a mobile phone and a PDA, which are cordless digital communication devices (see paragraph 28, lines 1-5).

In view of the above, having the method of Morris, then given the well-established teachings of Hill, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris as taught by Hill, since Hill stated in paragraph 28, lines 15+ that when a mobile device connected to Bluetooth starts to roam, a handoff can occur to maintain link quality.

10. Claims 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris in view of Hill as applied to claim 20 above, and further in view of Kim et al. (previously cited US 2003/0103487).

Regarding claim 21, Morris and Hill do not explicitly teach operating the first communication channel in one of the group consisting of a sniff mode and a park mode.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Kim. In particular, Kim teaches that Bluetooth slaves can operate in three power saving modes, including both the sniff mode and park mode (see paragraph 9, lines 1-3).

In view of the above, having the method of Morris and Hill, then given the well-established teachings of Kim, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris and Hill as taught by Kim, since Kim stated in paragraph 19 that the number of active and parked slaves are taken into account when configuring beacon slots.

Regarding claim 24, Morris does not explicitly teach that at least one of the group consisting of the first communication channel and the second communication channel includes an ACL data link which is operated in at least one of the group consisting of the sniff mode and the park mode.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Hill. In particular, Hill teaches that the master can allocate links to slaves as either SCO or ACL links (see paragraph 13, lines 5-9)

Furthermore, Morris and Hill do not teach that the master can operate the slaves in sniff mode or park mode (see paragraph 9, lines 1-3).

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Kim. In particular, Kim teaches that the master can operate the slaves in sniff mode or park mode (see paragraph 9, lines 1-3).

In view of the above, having the method of Morris and Hill, then given the well-established teachings of Kim, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris and Hill as taught by Kim, since Kim stated in paragraph 19 that the number of active and parked slaves are taken into account when configuring beacon slots.

10. Claims 27-29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris in view of Hill as applied to claim 20 above, and further in view of Official Notice.

Regarding claim 27, Morris and Hill do not explicitly teach that the first time slot in the first communication channel is immediately adjacent in time to the second time slot in the second communication channel. It would have been obvious to a person having ordinary skill in the art at the time of the invention that a time slot for the first channel would fall immediately adjacent in time to a time slot for the second channel since it was known in the art that SCO links do not need polling messages at each transmission, thus utilizing time slots one after the other.

Regarding claim 28, Morris and Hill do not explicitly teach that a period of the first communication channel is an integer multiple of a period of an SCO communication channel operating in a first mode. It would have been an obvious matter of design choice to one of

ordinary skill in the art at the time of the invention to use multiples of a time parameter, since such a modification would have involved a mere change in size of a parameter. A change in size is generally recognized as being within the level of ordinary skill in the art.

Regarding claim 29, Morris and Hill do not explicitly teach that a period of the second communication channel is an integer multiple of a period of the first communication channel. It would have been an obvious matter of design choice to one of ordinary skill in the art at the time of the invention to use multiples of a time parameter, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art.

Regarding claim 32, Morris and Hill do not explicitly teach that frame-based data interchange takes place between the master subscriber and the first and second slave subscribers. It would have been obvious to a person having ordinary skill in the art at the time of the invention to perform frame-based data interchange since it was known in the art that data interchange in the Bluetooth standard is either time-based or frame-based.

11. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morris in view of Hill as applied to claim 20 above, and further in view of Milley et al. (newly cited US 7,292,588).

Regarding claim 33, Morris and Hill do not explicitly teach synchronizing the second communication channel further comprises employing a programmable unit, to synchronize the second communication channel.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Milley. In particular, Milley teaches the use of a CPU in a primary computing device capable of personal area networking comprising means for generating command data for synchronizing a secondary device with the computing device (see column 5, lines 1-20).

In view of the above, having the method of Morris and Hill, then given the well-established teachings of Milley, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Morris and Hill as taught by Milley, since Milley stated in column 2, lines 23-32 that wirelessly connecting a primary device with a secondary device to display full internet content using a remote display is possible.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis A. Alia whose telephone number is (571) 270-3116. The examiner can normally be reached on Monday through Friday, 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung S. Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Curtis A Alia/  
Examiner, Art Unit 2616  
3/27/2008

CAA  
14.

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2616